IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

WP(C).No. 11226 of 2006(J)

PETITIONER:

K.M.KHADEEJA, AGED 53 YEARS,
W/O.P.M.MOHAMMED, JUNIOR ARABIC TECHER,
F.M.G.HIGHER SECONDARY SCHOOL, KOOMANPARA,
ADIMALI, IDUKKI DISTRICT.

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT, SECRETARAIT, THIRUVANANTHAPURAM.

2. THE DEPUTY DIRECTOR OF EDUCATION, IDUKKI, THODUPUZHA.

3. THE DISTRICT EDUCATIONAL OFFICER, THODUPUZHA, IDUKKI DISTRICT.

4. THE PRINCIPAL, F.M.G. HIGHER SECONDARY SCHOOL, KOOMANPARA, ADIMALI, IDUKKI DISTRICT.

5. THE ACCOUNTANT GENERAL (A&E)KERALA, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SMT.M.R.SREELATHA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX (WP.11226/2006)

EXT.P1: TRUE COPY OF STATEMENT OF FIXATION OF PAY DT. 03/04/99.

EXT.P2: TRUE COPY OF GOVT.ORDER DT. 5/2/99.

EXT.P3: DO. DT. 25/9/2001.

EXT.P4: DO. DT. 30/4/2002.

EXT.P5: TRUE COPY FO JUDGMENT IN OP.20280/01 DT. 11/3/2002.

EXT.P6: TRUE COPY OF JUDGMENT IN WA.2293/02 DT. 25/9/2002.

EXT.P7: TRUE COPY OF GOVT. ORDER DT. 5/4/2003.

EXT.P8: TRUE COPY OF OBJECTION OF DEPUTY DIRECTOR OF EDUCATION .

EXT.P9: TRUE COPY FO LETTER DT. 26/12/95.

EXT.P10: TRUE COPY OF LETTER DT. 29/4/2005.

EXT.P11: TRUE COPY OF REVISION PETITION DT. 3/1/2005.

EXT.P12: TRUE COPY OF JUDGMENT IN WP.14952/05.

EXT.P13: TRUE COPY OF GOVT. ORDER DT. 2/1/12006.

EXT.P14: TRUE COPY OF JUDGMENT IN WA.1441/04.

A.K. Basheer, J.

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W.P(C) No.11226 of 2006

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Dated this the 27th day of June, 2007.

J U D G M E N T

Learned Govt. Pleader submits that the issue involved in this case is squarely covered in favour of the petitioner in view of the judgment of a Division Bench of this Court in W.A.No.186/2004 and other connected cases. Therefore Exts.P8, P10 and P13 are quashed. Respondents are directed to release the consequential benefits to the petitioners in accordance with law, within three months from the date of receipt of a copy of this judgment.

Writ Petition is allowed in the above terms.

A.K. Basheer
Judge.

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